

Remarks

The introductory portion of the application has been amended to indicate the fact that there is recently filed divisional application pending of which the Examiner may be unaware.

Turning now to the issue raised by the Examiner in the official action. The Examiner provisionally rejected claims 11-15 under the judicially created doctrine of obviousness-type double-patenting based upon co-pending application no. 10/729,320 in view of US Patent No. 6,201,648 to Togino. This grounds for provisionally rejecting this application is respectfully traversed. In the official action, the Examiner deals with the claims and certain differences of the claims of the present application with those of 10/729,320. However, the Examiner has not treated all of the differences between the claims of the two applications.

For example, the present application also includes limitations such as "the optical elements are decentered" or "the optical elements having no common optical axis."

It is noted that the Examiner has not treated those differences in the claims and, moreover, it is submitted that those differences are material differences, and therefore the provisional double-patenting rejection should be withdrawn.

Reconsideration is respectfully requested.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

I hereby certify that this correspondence is being deposited with the United States Post Office with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents

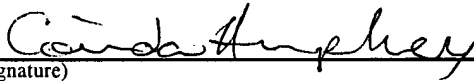
PO Box 1450, Alexandria, VA 22313-1450 on

September 10, 2004

(Date of Deposit)

Corinda Humphrey

(Name of Person Signing)

  
(Signature)

September 10, 2004

(Date)

Respectfully submitted,



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Enclosure: Replacement Sheets

Amendments to the Drawings

Enclosed please find replacement drawing sheets containing the amended Figures 24-46 that have been marked as "prior art."

Enclosure: Replacement Drawings Sheets